

1 INTERVIEW OF: OFFICER BILLY WALKER

2 INTERVIEW BY: DETECTIVE DOUG BAXTER

3 DETECTIVE J.R. FERRER

4 DETECTIVE BRENT KEYS

5 ALSO PRESENT: ATTORNEY BRAD FIELDS

6 CASE NO.: 17014183

7 DATE: SEPTEMBER 22, 2017

8 DET. BAXTER: Okay. This is Detective Doug Baxter. The  
9 date is September 22nd, 2017. The time is 8:30 a.m. Also  
10 present are Detective J.R. Ferrer, Detective Brent Keys,  
11 Officer Billy Walker and his attorney, Brad Fields. And we are  
12 going to be discussing the officer-involved shooting incident  
13 that took place earlier this morning. Okay?

14 And Detective Ferrer here, Billy, has some basic  
15 questions to ask you. They're administrative.

16 OFC. WALKER: Okay.

17 DET. FERRER: Let's start off with your name. If you  
18 could give us your full name and spell it out for us, please.

19 OFC. WALKER: Okay. My name is Billy Harrison Walker IV.  
20 It's B-i-l-l-y H-a-r-r-i-s-o-n W-a-l-k-e-r IV -- Roman  
21 Numeral IV.

22 DET. FERRER: And what is your rank?

23 OFC. WALKER: I am a police officer with Oceanside Police  
24 Department.

25 DET. FERRER: Okay. And your date of hire?



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1       OFC. WALKER: That's 2/18/2015.  
2       DET. FERRER: How old are you?  
3       OFC. WALKER: I am 32.  
4       DET. FERRER: And your birth date?  
5       OFC. WALKER: 7/5/1985.  
6       DET. FERRER: Okay. What's your height and weight?  
7       OFC. WALKER: About 5'11", 205.  
8       DET. FERRER: Are you right- or left-handed?  
9       OFC. WALKER: Left-handed.  
10      DET. FERRER: Okay. How many years have you been a police  
11 officer?  
12      OFC. WALKER: Two and a half years.  
13      DET. FERRER: Okay. Were you in law enforcement prior --  
14      OFC. WALKER: Yes.  
15      DET. FERRER: -- to --  
16      OFC. WALKER: I did about a total of six and a half years,  
17 Probation.  
18      DET. FERRER: Okay. Where at?  
19      OFC. WALKER: I only did two and a half years in San  
20 Diego, and about almost four -- a little bit over four and I  
21 was armed in Riverside. So --  
22      DET. FERRER: Okay. Prior to coming to Oceanside PD?  
23      OFC. WALKER: -- prior to coming to Oceanside.  
24      DET. FERRER: Very well. And what is your current  
25 assignment?



1       OFC. WALKER: My current assignment is Patrol, Field  
2 Operations, Team 12.  
3       DET. FERRER: Okay. And how long have you been on this --  
4 on this shift or team?  
5       OFC. WALKER: Been on this team for a year and eight  
6 months.  
7       DET. FERRER: Have you had any other assignments --  
8       OFC. WALKER: No.  
9       DET. FERRER: -- with the department? Okay. What's your  
10 current shift?  
11       OFC. WALKER: My current shift is morning watch, which  
12 would be Thursday, Friday, Saturday, every other Wednesday,  
13 7:00 p.m. to 7 a.m.  
14       DET. FERRER: Okay. And every other Wednesday?  
15       OFC. WALKER: (Inaudible.)  
16       DET. FERRER: Are -- are we on this week? Is this your  
17 Wednesday week?  
18       OFC. WALKER: No, this is my short week.  
19       DET. FERRER: Okay. And what are your hours?  
20       OFC. WALKER: My hours are 7:00 p.m. to 7:00 a.m.  
21       DET. FERRER: Okay.  
22       OFC. WALKER: 1900 to 0700.  
23       DET. FERRER: And today, last night was your regular  
24 shifts?  
25       OFC. WALKER: Yes, sir.



1 DET. FERRER: Was it overtime?  
2 OFC. WALKER: No.  
3 DET. FERRER: Special assignment or anything like that?  
4 OFC. WALKER: No.  
5 DET. FERRER: Okay. Were you assigned to a special detail  
6 tonight?  
7 OFC. WALKER: No.  
8 DET. FERRER: Okay. And what beat or sector?  
9 OFC. WALKER: I'm on 6 beat. I'm Sector 3.  
10 DET. FERRER: And what's your call sign?  
11 OFC. WALKER: I'm 6 David.  
12 DET. FERRER: Okay. All right. Well, let's go ahead and  
13 ask you these questions.  
14 Now, when did you last sleep and how long?  
15 OFC. WALKER: I slept last night, and I slept from  
16 10:00 p.m. to 7:30 a.m.  
17 DET. FERRER: Okay.  
18 OFC. WALKER: Total of probably around eight, nine hours.  
19 DET. FERRER: Okay. And when did you last eat?  
20 OFC. WALKER: I last ate about --  
21 MR. FIELDS: Are you talking about before the shooting  
22 or --  
23 DET. FERRER: Before the shooting.  
24 MR. FIELDS: Okay.  
25 OFC. WALKER: Maybe 4:00 p.m.



1 DET. FERRER: Okay. And what was it?  
2 OFC. WALKER: I had -- (inaudible).  
3 MR. FIELDS: If you remember.  
4 OFC. WALKER: What did I have? I think I had Rubios. I  
5 want to say Rubios.  
6 DET. FERRER: Fish tacos?  
7 OFC. WALKER: I had a burrito.  
8 DET. FERRER: All right. And overall, how are you feeling  
9 today?  
10 OFC. WALKER: I feel good.  
11 DET. FERRER: Okay. And at this moment, same thing?  
12 OFC. WALKER: Yeah, feeling good.  
13 DET. FERRER: Good. And did you take anything today that  
14 impaired your decision-making ability?  
15 OFC. WALKER: No.  
16 DET. FERRER: Okay. When did you last qualify with your  
17 weapon?  
18 OFC. WALKER: On Friday. No. Was it Friday? Last  
19 Friday, the 20 -- the 15th, last Friday.  
20 DET. FERRER: Okay. And was that part of third quarter  
21 quals?  
22 OFC. WALKER: Third quarter quals.  
23 DET. FERRER: Okay. And you qualified here at Oceanside  
24 PD?  
25 OFC. WALKER: Yes, sir.



1       DET. FERRER: Specifically where?

2       OFC. WALKER: I'm at the old Oceanside PD range off of the  
3 end of Douglas.

4       DET. FERRER: Okay. When was your last block training?

5       OFC. WALKER: I want to say April 2017.

6       DET. FERRER: Okay. Do you have any other collateral  
7 duties on top of -- you do (inaudible) with Patrol, recruiting  
8 team or anything like that?

9       OFC. WALKER: Yes, I do. I do recruiting team.

10      DET. FERRER: You're on the recruiting team.

11      OFC. WALKER: Yeah.

12      DET. FERRER: Okay. How long have you been on that team?

13      OFC. WALKER: Maybe five or six months.

14      DET. FERRER: Okay. Describe the uniform you were wearing  
15 last night.

16      OFC. WALKER: I was wearing my Class B uniform with my  
17 duty belt, my Taser, my handgun. I had two sets of cuffs and  
18 two mags and a third mag inside my gun, duty ready.

19      DET. FERRER: Okay. Would -- you said your Class B  
20 uniform. That -- what color is the Class B uniform?

21      OFC. WALKER: It's a blue uniform.

22      DET. FERRER: Okay.

23      OFC. WALKER: I had a blue uniform, short-sleeve, both  
24 patches, nametag, my badge on.

25      DET. FERRER: Okay.



1       OFC. WALKER:   Radio.  
2       DET. FERRER:   Good.  
3       OFC. WALKER:   Ear piece in.  
4       DET. FERRER:   And what -- what duty firearm do you carry?  
5       OFC. WALKER:   I have a Glock 17, 9-millimeter.  
6       DET. FERRER:   Okay.   Issued by our department?  
7       OFC. WALKER:   Issued by Oceanside Police Department.  
8       DET. FERRER:   Okay.   And you said you had magazines.   How  
9 many do you carry with you?  
10      OFC. WALKER:   I carry three magazines; two in my pouch and  
11 one inside my gun.  
12      DET. FERRER:   Very well.   To your knowledge, they were  
13 fully loaded?  
14      OFC. WALKER:   Yes, I had them fully loaded.  
15      DET. FERRER:   Okay.   And do you have a backup weapon?  
16      OFC. WALKER:   Yes, but I don't carry it on me on duty.  
17      DET. FERRER:   You don't carry it on -- on duty.   Okay.  
18 What kind of weapon is that?  
19      OFC. WALKER:   It is a LCP .380.  
20      DET. FERRER:   Okay.   And on your person or in your  
21 vehicle, on your regular patrol duties, do you carry a shotgun?  
22      OFC. WALKER:   Occasionally, yes.  
23      DET. FERRER:   Okay.   It's something that you check out?  
24      OFC. WALKER:   Check out, yes.  
25      DET. FERRER:   Last night were -- did you have a shotgun?



1       OFC. WALKER: I did not have a shotgun last night.  
2       DET. FERRER: A carbine?  
3       OFC. WALKER: No.  
4       DET. FERRER: Pepper ball?  
5       OFC. WALKER: No.  
6       DET. FERRER: Beanbag?  
7       OFC. WALKER: No.  
8       DET. FERRER: Okay. What other weapons do you carry on  
9 your duty belt? You mentioned some.  
10      OFC. WALKER: A Taser.  
11      DET. FERRER: Okay.  
12      OFC. WALKER: Just a Taser and my straight stick.  
13      DET. FERRER: Okay. And that is straight -- a baton?  
14      OFC. WALKER: Straight baton.  
15      DET. FERRER: Okay. OC?  
16      OFC. WALKER: No.  
17      DET. FERRER: Were you wearing your ballistic vest?  
18      OFC. WALKER: Yes, sir.  
19      DET. FERRER: And let's -- let's kind of start back.  
20             How did you start your day at your home when you woke  
21 up this morning?  
22      OFC. WALKER: When I woke up this morning, [REDACTED]  
23 [REDACTED]  
24      DET. FERRER: Okay.  
25      OFC. WALKER: Normal stuff; [REDACTED]





1 and pick him up.

2 DET. FERRER: Okay.

3 OFC. WALKER: Sleep a few hours before I come to work.

4 DET. FERRER: Okay.

5 OFC. WALKER: Come to work. [REDACTED]

6 [REDACTED] and then come to work.

7 DET. FERRER: Okay. And then talk about when you arrived

8 at work, what was your normal --

9 OFC. WALKER: I usually come in, set my bag down and get

10 my vehicle ready. Go in and get dressed. A few minutes to

11 kill. Go over the roster and I sit in for briefing.

12 DET. FERRER: Okay. And generally, from the start of your

13 shift, what was the nature and volume of calls for the night?

14 OFC. WALKER: Not that -- it wasn't a high volume --

15 DET. FERRER: Okay.

16 OFC. WALKER: -- of calls at all before -- prior to this.

17 I think only one or two calls.

18 DET. FERRER: Okay.

19 OFC. WALKER: It wasn't -- it wasn't a high volume call

20 night.

21 DET. FERRER: Okay.

22 And then -- so take me through your shift from the

23 start of your shift, when you -- you know, when you're at the

24 station, getting ready, going 10-8. Talk about your -- your

25 shift prior to this incident.



1           So I was coming down Oceanside Boulevard. I was  
2 heading towards the Plaza area, which is Marron area. And we  
3 got the call, hey, a person with a weapon. They dispatched  
4 6 Boy and -- 6 Boy and 7 Boy to it.

5           And I self-assigned, because after 11:00 o'clock,  
6 we're primary. So self-assigned to it and then 7 David  
7 self-assigned. So I'm en route down -- going southbound on  
8 College.

9           I get to Marron, turn in. 7 Boy and 7 -- 7 Boy and  
10 6 Boy are ahead of me. I turn on -- I think it's Old Creek  
11 Valley, where the Walmart is. So Walmart's on the left, Kohl's  
12 is on the right. So the stoplight.

13           So I turned on my light, and I went through the back  
14 way of T-Mobile and Albertsons through the back way. But prior  
15 to me going he there, they said, hey, the male may have a  
16 knife, and then they updated, he possibly may have a gun.

17           So they say he's in the back of Kohl's. So  
18 immediately went to the back of Kohl's. So I went through  
19 T-Mobile, behind T-Mobile and stuff. So when I got kind of to  
20 the back of T-Mobile, kind of parallel with the suspect's  
21 vehicle, you know how there's the loading dock right there.

22           So I see Officer Ravesi and Officer Brunacini's  
23 vehicle parked like facing the guy and their lights are on him.  
24 And I see him out in the middle of the street with a knife, so  
25 I kind of pull up parallel with his vehicle; well, kind of



1 parallel to his vehicle, and I kind of -- I get out the car.

2           So I get out the car, and he looks at me. He kind of  
3 backs up towards his car and looks at me. So he walks around  
4 the car and starts approaching me. So I kind of like -- kind  
5 of looked like kind of okay, hey, this guy has a knife. He's  
6 in close proximity.

7           So I just got back in my car and closed the door and  
8 started to back up, but as I started to back up, he starts  
9 following my car. He probably got within 10 to 8 feet of my  
10 vehicle.

11           So I'm backing up, and I think I'm backing up towards  
12 the outside of it, but I was backing up into the loading dock,  
13 so I'm looking through my rear like, oh, man, I'm going to be  
14 stuck. So I just turned my lights off, and then he stopped  
15 when I turned my lights off.

16           So I'm like, okay, I'm stuck -- this guy. I had  
17 nowhere to go behind me. So once I turned my lights off, he  
18 kind of walked back around and I kind of waited. So now I left  
19 my lights off and I pulled back up, kind of parallel, so I  
20 could at least see where he was.

21           So by then, when I pulled back up, Officer Schmidt  
22 had pulled in. So I said, okay, Officer Schmidt. Okay. So  
23 he's back focused on Officer Brunacini and Officer Schmidt.

24           Well, then Officer Schmidt gets out with a beanbag  
25 round. So I'm just like -- I'm still parallel to the vehicle,



1 so I'm like, okay, I need to get on the other side, because I'm  
2 going to be in cross of fire. If anything happens and this guy  
3 approaches with a gun, if they fire on him, I'm in the way.

4 So I took my vehicle and kind of took it around the  
5 parking lot, around it, but I kind of cut it on the side where  
6 my vehicle kind of went against the curve, and I pulled behind  
7 the other vehicles.

8 So when I pulled around the other vehicles, I got out  
9 of the car and I stood between Ravesi and Brunacini, and then  
10 Officer Schmidt was to, like, the east, close -- farther east  
11 of the building, but we're kind of in a semicircle.

12 So Officer Schmidt's giving him directives. Hey,  
13 man, put the gun down. I mean, put the knife down. Put the  
14 knife down. And the guy's kind of like doing the dancing, like  
15 a -- like a -- like he's like -- it's kind of hard -- like a  
16 boxing dance, like he's moving with the knife. And he came out  
17 like jabs, and I kind of walk towards him and kind of back up a  
18 little bit. And then he backs up. And then we back up again,  
19 and he backs up.

20 So he keeps giving him directives. So he shoots one  
21 round, hits him. The guy like -- doesn't faze him or anything.  
22 Shoots him again. Doesn't faze him. He keeps coming towards  
23 us. So we're kind of like moving around.

24 He's still giving directives. Put the knife down,  
25 put the knife down. Shoots him again. Still moving around.



1 So I think the last round he shot him, the guy threw the knife.

2 So he gave him a directive. Get on the ground. Get  
3 on the ground. Get on the ground.

4 So as -- still giving directives, he starts walking  
5 back towards his vehicle. So as he walks towards his vehicle,  
6 we all shift to kind of -- still face up with him to see where  
7 he's going, because we can't see his hands. His back's turned  
8 to us.

9 So then he reaches down next to his car and picks up  
10 the skateboard. So like, okay, put the skateboard down. Put  
11 the skateboard down. So he throws the skateboard at us.

12 So once he throws the skateboard, he starts doing  
13 like this dance like -- I can pretty much visually act it out,  
14 and he's like kind of moving like this and he's like -- we were  
15 like, get on the ground.

16 He starts putting his hand in his -- in his jacket.  
17 And I'm like, hey, can anybody see his hands? Can anybody see  
18 his hands? And he's moving around. And then he stops, and  
19 he's kind of like sideways to us, and he reaches all the way  
20 down in his pants.

21 And I'm thinking this -- what is this guy reaching  
22 for, you know? And when he comes out, we see the gun. And I  
23 yell, "Put the gun down. Put the gun down." And he does this  
24 and he kind of -- he reaches towards over there, and that's  
25 when I fired, because I was -- I was the one -- I was squared



1 up with him.

2 And I don't know who fired first, but as soon as he  
3 reached and pointed at -- like this at me, I fired at him. And  
4 he -- I fired. I fired at him. He kept moving, kept moving.  
5 Finally, the dogs showed up and he was still kind of moving  
6 around, had the gun in his hand.

7 He threw the gun and then the dogs attached on him.  
8 He fell to the ground, and then we walked up. Katie cuffed  
9 him, and then we rolled him up over, lifted up his shirt, did a  
10 sweep of him.

11 Officer Kekai Thompson came, put a chest seal on him,  
12 and Katie put gauze on his chest, and then by then all the  
13 supervisors were there. We walked off the scene. That was  
14 pretty -- that was it.

15 **DET. FERRER:** So when you said that he pulled -- he pulled  
16 the gun out of his pants and then he -- he had overhead motion  
17 and pointing out away from his body, he was pointing at you?

18 **OFC. WALKER:** Yeah, honestly, I felt like before he kind  
19 of keyed in on me and he was staring at me, because I was like  
20 in the middle. So he was either staring at me or Katie, and  
21 honestly, I didn't think he had a gun, you know.

22 But when I kind of had chills on the back of my neck,  
23 and when he did that and when we shot -- I thought he shot me.  
24 I kind of was sweating myself. I thought I was shot. I was  
25 like nervous. I thought I was actually hit. I thought he was



1 going to shoot me.

2           So like after he was shot and everything went down, I  
3 had -- before we walked up when he hit the ground and the dogs  
4 were on him, I kind of checked myself, because I thought I was  
5 shot.

6           **DET. BAXTER:** When you just said a moment ago you didn't  
7 think he had a gun, what -- what was going through your mind  
8 about why you -- why you had formulated that thought?

9           **OFC. WALKER:** Because most of the time, we could see his  
10 waistband, and that's what threw me off. Usually, when people  
11 have guns, you can see the gun in their waistband.

12           When he had his shirt, we could see his waistband,  
13 but he kind of lifted his pants out and reached down in there.  
14 He reached further down into his pants.

15           So I was thinking and they said he had a gun -- I was  
16 like, this guy's not reaching down for a gun way down there.  
17 But when he pulled it out, I'm like, this guy has a gun.

18           **DET. BAXTER:** Can you describe that gun to me.

19           **OFC. WALKER:** It looked like a -- like a black 1911. When  
20 I seen what it -- from his hand, it looked like black 1911.  
21 Pretty long barrel, kind of skinny. Looked like a 1911.

22           **DET. BAXTER:** And he pointed this at you?

23           **OFC. WALKER:** Yeah, he pointed, just like this, and he  
24 started -- I was like -- you know, I honestly thought he shot  
25 me.



1       DET. BAXTER: Do you remember if --  
2       OFC. WALKER: I was like --  
3       DET. BAXTER: -- you said anything when he did that, to  
4 him?  
5       OFC. WALKER: There was a -- we were saying put the gun  
6 down. Put the gun down. Put the gun down. You know, it was  
7 just like -- like -- I kind of like heated on the gun. You  
8 know, we would yell put the gun down, and he'd point it, and  
9 then that's when I fired. I can't (inaudible).  
10       DET. BAXTER: At the moment that you fired on him, what  
11 other officers were next to you that you knew at the time; not  
12 at a later time. At the time that you shot, who was next to  
13 you? Who was with you?  
14       OFC. WALKER: I knew Officer Ravesi was on my left side  
15 and Officer Brunacini was on my right. I don't -- I don't know  
16 who -- who shot at that time.  
17               I didn't know if anybody -- I didn't even know if  
18 they even shot or not. You know, honestly, I knew I shot and  
19 then, you know, I looked down and I realized they had shot,  
20 too. But I just knew that I had shot him.  
21               I was like, you know, this guy's probably going to  
22 kill me, because when he reached, that was like a delay; like,  
23 I seen the barrel of his gun. So --  
24       DET. BAXTER: Do you know how many times you shot?  
25       OFC. WALKER: I turned 10 when I'm shooting because he was





1 still up, and even after we were done shooting, he was still  
2 up. He didn't go down until the -- until the dogs got on him.  
3 MR. FIELD: So the 10 is your best estimate?  
4 OFC. WALKER: My best estimate.  
5 DET. BAXTER: And in spite of firing 10 shots, this --  
6 this -- the suspect was still standing?  
7 OFC. WALKER: He was still standing. He didn't finally go  
8 down until the dogs attached on him. He threw the gun and he  
9 kind of was like going down, and the dogs -- both dogs jumped  
10 on him, and then he fell to the ground.  
11 DET. FERRER: And you said that he was facing you; you saw  
12 the barrel of the gun. About how far away was -- approximate  
13 distance you were?  
14 OFC. WALKER: 10 to 15 feet --  
15 DET. FERRER: Okay.  
16 OFC. WALKER: -- I would say. And he was moving.  
17 DET. FERRER: Did you give any verbal commands?  
18 OFC. WALKER: No, I let Officer Schmidt initially. The  
19 only thing I said was "put the gun down," when he took the gun  
20 out.  
21 DET. FERRER: Okay.  
22 OFC. WALKER: But all the rest of the verbal commands were  
23 Officer -- Officer Schmidt when he had shot the non-lethal.  
24 When we got to the actual part where he pulled the -- where he  
25 was reaching in his pants, someone else was giving verbals. I



1 don't know who it -- who it was, though. I couldn't pinpoint  
2 the voice at the time.

3 DET. FERRER: Okay. But you did give verbals when you did  
4 see the gun?

5 OFC. WALKER: Yeah. Put the gun down. Yeah.

6 DET. FERRER: And you told him to put the gun down.

7 OFC. WALKER: Yeah.

8 DET. FERRER: How many times?

9 OFC. WALKER: I'd say twice.

10 DET. FERRER: Okay. So the time that you arrived on  
11 scene, what was the approximate time from the time you arrived  
12 on scene to the time you were compelled to shoot?

13 MR. FIELD: Your best estimate.

14 OFC. WALKER: Maybe ten minutes.

15 DET. FERRER: What's that?

16 OFC. WALKER: Maybe ten minutes.

17 DET. FERRER: Okay. And the time that you shot to the  
18 time you stopped, about how long was that?

19 OFC. WALKER: Oh, probably like five seconds. Five  
20 seconds.

21 DET. FERRER: Okay. Can you describe the lighting.

22 OFC. WALKER: It wasn't too bright. I would say it's the  
23 lights off the side of the -- of the building, but I had my gun  
24 light on.

25 DET. FERRER: Okay.



1       OFC. WALKER: I have a gun light on my gun and I turned my  
2 gun light on.

3       DET. FERRER: Okay. Did you have any other -- did you  
4 have any other flashlights?

5       OFC. WALKER: No.

6       DET. FERRER: Okay. But your -- your gun light was  
7 activated?

8       OFC. WALKER: My gun light was on.

9       DET. FERRER: Okay.

10           What other force options did you have available to  
11 you at the time?

12       OFC. WALKER: On my belt, we -- I had the Taser. And  
13 that's all I had on me. I had my Taser on me.

14       DET. FERRER: Okay. Did you ever consider using your  
15 Taser?

16       OFC. WALKER: Initially, after -- not after the beanbag  
17 rounds, because --

18       DET. FERRER: Yeah.

19       OFC. WALKER: -- he had a heavy jacket on. But not -- not  
20 when he -- not when he pulled the gun, no.

21       DET. FERRER: Okay. Did you ever consider going  
22 hands-on --

23       OFC. WALKER: No.

24       DET. FERRER: -- at any time?

25       OFC. WALKER: No. I didn't want to get too close to him,



1 because the whole knife thing --

2 DET. FERRER: Okay.

3 OFC. WALKER: -- and the skateboard. At no point was --

4 DET. FERRER: Did you -- do you carry your pepper spray

5 with you on your belt?

6 OFC. WALKER: No, sir. I usually leave it in the car.

7 DET. FERRER: It's in your car. Okay. What about your

8 baton?

9 OFC. WALKER: Baton, I usually carry it on me, but I

10 hopped out so quick. I usually grab it.

11 DET. FERRER: Okay.

12 OFC. WALKER: I hopped out so quick, yeah.

13 DET. FERRER: What about beanbag?

14 OFC. WALKER: Beanbag --

15 DET. FERRER: Shot --

16 OFC. WALKER: Yeah, Officer Schmidt. Yeah.

17 DET. FERRER: Okay. Officer Schmidt had that.

18 OFC. WALKER: Yes, sir.

19 DET. FERRER: What about pepper ball?

20 OFC. WALKER: Pepper ball? I don't think anyone on our

21 team had a pepper ball.

22 DET. FERRER: Okay. And tell me about the K-9

23 availability. Was that something that you called for or was

24 that available? You knew it was --

25 OFC. WALKER: Someone called. I want to say someone on



1 the radio, maybe. I think a sergeant had called for that.

2 DET. FERRER: Okay.

3 OFC. WALKER: You know, they (inaudible) be en route

4 Code 3. They were coming and we heard them, but it had

5 escalated so quickly. When they were pulling in, that's when

6 he had pulled the gun.

7 DET. FERRER: So -- okay.

8 OFC. WALKER: So we heard over the radio that K-9 was

9 coming.

10 DET. FERRER: Okay.

11 OFC. WALKER: So we were, you know (inaudible).

12 DET. FERRER: Do you -- do you remember which K-9

13 officers?

14 OFC. WALKER: It was Kevin Wilson and Smith, 1 King and

15 3 King.

16 DET. FERRER: Okay. And you said that you were there, and

17 you mentioned other officers. Who were the officers there

18 again?

19 OFC. WALKER: Officer Ravesi.

20 DET. FERRER: Okay.

21 OFC. WALKER: Katie Brunacini.

22 DET. FERRER: Okay.

23 OFC. WALKER: And Dustin Schmidt.

24 DET. FERRER: Okay. When you arrived on scene, and they

25 were already engaged on the subject, you came up with the



1 group, and you guys had a conversation on roles or any -- what  
2 was going to take place?

3 OFC. WALKER: No, we didn't have a conversation. I just  
4 knew Schmittty was giving --

5 DET. FERRER: Okay.

6 OFC. WALKER: -- directives, and you're always trained,  
7 hey, only one person's talking.

8 DET. FERRER: Okay.

9 OFC. WALKER: So the -- so the person wouldn't have  
10 conflicting directions. So he was speaking and everyone else  
11 was quiet. I was quiet because --

12 DET. FERRER: Okay.

13 OFC. WALKER: -- this is how we train.

14 DET. FERRER: Okay. And so what you're telling me that  
15 your communication amongst you four, you guys were able to  
16 understand each other and what was going on.

17 OFC. WALKER: Yes, sir.

18 DET. FERRER: Very well. And tell me what was going on in  
19 your mind?

20 MR. FIELD: At what point?

21 DET. FERRER: At the point where you're engaging the  
22 subject, giving commands, to the point where he -- where you  
23 started to perceive the threat of a firearm. What was going on  
24 in your mind?

25 OFC. WALKER: I had goosebumps. I had goosebumps. When



1 he pulled the firearm on me, I said -- I thought he was going  
2 to kill me or one of my partners. I just felt like, okay, this  
3 guy pulled a -- a 1911 out, a high powered gun, that he was  
4 going to kill me or one of my partners.

5 DET. FERRER: Uh-huh.

6 OFC. WALKER: So when we gave him the directive to put the  
7 gun down and he pointed it, I just knew he had fired at us. I  
8 just felt like, hey, one of us is hit. And that's how I felt.  
9 (Inaudible.)

10 DET. FERRER: And you even mentioned that to me, that  
11 you --

12 OFC. WALKER: I felt like I...

13 DET. FERRER: -- felt like you were hit.

14 OFC. WALKER: I took -- I took my right hand and went over  
15 my shirt --

16 DET. FERRER: Okay.

17 OFC. WALKER: -- because I thought I was hit.

18 DET. FERRER: What was the threat level you perceived?

19 OFC. WALKER: It was immediate -- deadly -- deadly force  
20 level.

21 DET. FERRER: Okay.

22 OFC. WALKER: Deadly force. With him, I felt like he  
23 was -- he was going to kill one of us.

24 DET. FERRER: And you -- and you said that you checked  
25 yourself. You felt like you were hit. Did you have any



1 other -- any injuries?

2       OFC. WALKER: No.

3       DET. FERRER: Okay. You didn't fall back or anything like  
4 that?

5       OFC. WALKER: No.

6       DET. FERRER: Okay. All right.

7               Why did you shoot?

8       OFC. WALKER: I felt like he was going to kill me or kill  
9 my partners. I felt like he was going to kill me, because I  
10 was the -- I was the one that was kind of squared up with him,  
11 shoulder to shoulder, and if he had just put the gun up and  
12 just started shooting, I would have -- it -- I was squared  
13 right in front of him. I just pulled it -- pulled the gun  
14 straight up.

15       DET. FERRER: Okay. And why did you fire as many rounds  
16 as you did?

17       OFC. WALKER: He was still up. He wasn't down. He  
18 wasn't -- he still had the gun in his hand. I don't know if I  
19 missed. I don't know. I was tunnel vision. I didn't even  
20 see -- I didn't see the (inaudible). He still had the gun in  
21 his hands, so --

22       DET. FERRER: Okay.

23       OFC. WALKER: Honestly, he was still up. And I -- I  
24 thought he was still -- still up until he threw the gun down,  
25 and I realized, okay, he's going down. But I had already



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1 stopped firing when he threw the gun.

2 DET. FERRER: Okay. So you stopped firing --

3 OFC. WALKER: Yes.

4 DET. FERRER: -- when you see the gun down?

5 OFC. WALKER: I stopped it -- stopped. Yes.

6 DET. FERRER: Okay. And that's when you stopped?

7 OFC. WALKER: Yes.

8 DET. FERRER: Okay. Is that when you believe the threat

9 stopped?

10 OFC. WALKER: Yes, I believed he was no longer a threat.

11 DET. FERRER: Okay. Did you have any other options other

12 than deadly force at the time?

13 OFC. WALKER: No.

14 DET. FERRER: Why?

15 OFC. WALKER: A Taser versus a gun.

16 DET. FERRER: Okay.

17 OFC. WALKER: My straight stick versus a gun was -- no,

18 not at all.

19 DET. FERRER: Okay. Talk about cover. In your relation

20 to the subject, your positioning with your partners, did you

21 have any cover available?

22 OFC. WALKER: As in like a structure or vehicle? No, it

23 was just all open parking lot.

24 DET. FERRER: Okay. You did -- you did notice vehicles

25 around you?



1           OFC. WALKER: Yeah.

2           DET. FERRER: Was -- was that --

3           OFC. WALKER: It was farther away, but the way he had

4 moved -- we moved where it was just all open space. There was

5 nothing to get -- get behind or any type of cover at that

6 point.

7           DET. FERRER: Just to your -- your best estimate, your

8 nearest cover, how far away was that?

9           OFC. WALKER: Thirty feet.

10          DET. FERRER: Okay. And you'd have to take roughly about

11 how many steps?

12          OFC. WALKER: Good -- good sprint.

13          DET. FERRER: Okay.

14          OFC. WALKER: Good 10 to 15 feet sprint, 15 steps.

15          DET. FERRER: You did mention that two officers attempted

16 or administered lifesaving measures and CPR?

17          OFC. WALKER: Yes, sir.

18          DET. FERRER: Who were they again?

19          OFC. WALKER: It's going to be Kekai Thompson --

20          DET. FERRER: Okay.

21          OFC. WALKER: -- applied his chest seal --

22          DET. FERRER: Okay.

23          OFC. WALKER: -- to his chest, and Katie Brunacini had

24 gauze.

25          DET. FERRER: Okay. Did you assist them in any way?



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1       OFC. WALKER: No. I moved off the room -- off the  
2 (inaudible). Sergeant came and said, who shot?  
3       DET. FERRER: Uh-huh.  
4       OFC. WALKER: Moved us out of the scene immediately.  
5       DET. FERRER: Okay. Were you -- did you make any attempts  
6 to call for an ambulance or did any of the other officers?  
7       OFC. WALKER: Someone else called for 11-41. I heard on  
8 the radio. I just --  
9       DET. FERRER: You heard that on the radio?  
10      OFC. WALKER: -- I just don't know who called.  
11      DET. FERRER: Okay. Okay.  
12      DET. BAXTER: Let me hit on a few things. Maybe I wasn't  
13 paying attention on a couple things. I was trying to keep  
14 notes.  
15             Do you wear glasses or contacts at all?  
16      OFC. WALKER: No, sir.  
17      DET. BAXTER: Okay. I mentioned you guys talked about the  
18 lighting, and you -- you had a light on your gun.  
19             How well was that parking lot illuminated for you for  
20 the nighttime hours?  
21      OFC. WALKER: I'd say it was illuminated pretty well.  
22      DET. BAXTER: You could see pretty well?  
23      OFC. WALKER: Yeah. On that side, yes.  
24      DET. BAXTER: Okay. Did you see any other cars in the  
25 parking lot besides the police cars that were out there, where



1 the -- where the shooting place?

2 MR. FIELD: If you recall.

3 OFC. WALKER: On that side where we were or in the whole  
4 parking lot?

5 DET. BAXTER: The whole parking lot. I mean, no, the  
6 parking lot where the incident took place. Right there west --  
7 on the west side of the Kohl's.

8 OFC. WALKER: No, there were no other vehicles in there.

9 DET. BAXTER: Did you see if there was a car that was  
10 parked there?

11 OFC. WALKER: It was on this -- the suspect's black  
12 vehicle.

13 DET. BAXTER: Yes.

14 OFC. WALKER: Yeah, with the windows rolled down. He had  
15 the music playing.

16 DET. BAXTER: He had the music playing?

17 OFC. WALKER: Yes. I remember that.

18 DET. BAXTER: Okay. Do you know if the engine was  
19 running?

20 OFC. WALKER: No. I don't recall.

21 DET. BAXTER: Were the lights on?

22 OFC. WALKER: I don't recall. I'm not sure.

23 DET. BAXTER: So the music was playing on the car stereo?

24 OFC. WALKER: Yes.

25 DET. BAXTER: Did anyone turn that off?



1       OFC. WALKER: Not -- not that I know of.

2       DET. BAXTER: But you heard the music coming out?

3       OFC. WALKER: Yes.

4       DET. BAXTER: Okay. When you came back -- back down the

5 rear alley, right, to get there, did you notice if anyone

6 was -- was there any pedestrians or anybody in the alley coming

7 down?

8       OFC. WALKER: There was -- there was no one else back

9 there.

10       DET. BAXTER: Did you see any cars back there or anything?

11       OFC. WALKER: No..

12       DET. BAXTER: At the time the actual shooting took place,

13 I know that people yell drop the gun, drop the knife, things of

14 that nature. But when he actually produced that gun, did you,

15 yourself, or did you hear any of the other officers yell,

16 besides drop the gun, drop or we'll shoot, or anything similar

17 to that?

18       OFC. WALKER: I don't recall anyone saying that.

19       DET. BAXTER: Okay. Let me go over a couple things about

20 your force options that -- that you had. I know you went over

21 them a little bit. I just want to make something a little bit

22 more clear.

23               So you attempted verbal commands; correct?

24       OFC. WALKER: Yes, sir.

25       DET. BAXTER: Were they effective?



1       OFC. WALKER:  No.  
2       DET. BAXTER:  They didn't work?  
3       OFC. WALKER:  No.  
4       DET. BAXTER:  How come?  
5       OFC. WALKER:  He just -- he didn't -- he didn't -- didn't  
6 respond to any verbal commands.  
7       DET. BAXTER:  He didn't comply?  
8       OFC. WALKER:  No, not at all.  
9       DET. BAXTER:  And did you consider at any time using  
10 hands-on with this person?  
11       OFC. WALKER:  At one point, yes, but I felt like it would  
12 have put all of us at risk or someone at risk, because he had a  
13 knife at one point.  Us going hands-on with a knife...  
14       DET. BAXTER:  So would hands-on have been ineffective?  
15       OFC. WALKER:  It wouldn't have been effective.  
16       DET. BAXTER:  Okay.  You say you left your pepper spray in  
17 the car, so that wasn't an option?  
18       OFC. WALKER:  No.  
19       DET. BAXTER:  Okay.  
20       OFC. WALKER:  Too -- too far of a distance, too.  
21       DET. BAXTER:  And did -- did we touch -- did you carry a  
22 Taser on your belt?  
23       OFC. WALKER:  Yes, sir.  
24       DET. BAXTER:  Okay.  That was -- was -- did you consider  
25 using your Taser?



1           OFC. WALKER: Yes.

2           DET. BAXTER: At what point did you consider using your  
3 Taser?

4           OFC. WALKER: Right before the bean -- the beanbags were  
5 deployed.

6           DET. BAXTER: Okay.

7           OFC. WALKER: But he had this heavy jacket on, this heavy  
8 brown jacket on.

9           DET. BAXTER: In your opinion, would a Taser have been  
10 effective --

11          OFC. WALKER: No.

12          DET. BAXTER: -- at that point?

13          OFC. WALKER: No, it wouldn't have.

14          DET. BAXTER: Okay. And you said you left your -- you had  
15 a big straight stick baton, but you left it in the car?

16          OFC. WALKER: Yes.

17          DET. BAXTER: Okay. And we didn't have a pepper ball.  
18 And the K-9 came after the -- the shooting had just occurred?

19          OFC. WALKER: Yes.

20          DET. BAXTER: Okay. So they weren't there before it  
21 happened --

22          OFC. WALKER: No.

23          DET. BAXTER: -- so that wasn't option for doing that.

24                 Did you think that you, yourself had any other option  
25 other than deadly force when he pulled this gun out of his



1       OFC. WALKER: I just knew that I fired.  
2       DET. BAXTER: But you fired about 10 times and it didn't  
3 have any effect on him?  
4       OFC. WALKER: Yeah, I didn't feel like it had any effect  
5 on him.  
6       DET. BAXTER: All right.  
7             Mr. Fields, do you have any questions?  
8       MR. FIELDS: No, sir.  
9       DET. BAXTER: J.R., do you have any more?  
10       DET. FERRER: Nope.  
11       DET. BAXTER: Brent?  
12       DET. KEYS: I think you covered all of those (inaudible).  
13 I'm good.  
14       DET. BAXTER: Well, let's do this. Let's take a quick  
15 break. Let me check with my bosses and make sure they don't  
16 have any other questions they would like us to ask, and we can  
17 (inaudible) minutes, okay?  
18       OFC. WALKER: Sure.  
19       DET. FERRER: Time?  
20       DET. BAXTER: Yeah. Oh, the time is 9:00 o'clock on the  
21 dot.  
22                             (Break taken.)  
23       DET. BAXTER: Okay. The time is 9:04 a.m. and we're back  
24 on the record.  
25       DET. FERRER: All right, Billy, we just have one more





1 clarifying question.

2       OFC. WALKER: Okay.

3       DET. FERRER: Just continuing. When did you engage with  
4 the subject, when you arrived on scene, did the subject make  
5 any verbal threats towards you or any other officer?

6       OFC. WALKER: No, not that I recall.

7       DET. FERRER: Okay. When he -- when you perceive the gun,  
8 when he produced it, did he make any threats, any verbal  
9 threats?

10       OFC. WALKER: Not that I recall.

11       DET. FERRER: Okay. All right. Any questions?

12       OFC. WALKER: No.

13       DET. FERRER: Anything else?

14       DET. BAXTER: That would be 9:05.

15                   (Conclusion of Recorded Material.)

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